

**OFFICE OF THE CHIEF OF POLICE**

**SPECIAL ORDER NO. 49**

**November 25, 2003**

**SUBJECT: MANDATORY PRE-BOOKING EVALUATION OF CERTAIN ARRESTS**

**PURPOSE:** Department Manual Section 4/216.23 outlines a pre-booking evaluation procedure for watch commanders to follow when an arrest is made for interfering, resisting arrest, or assaulting peace officers. This Order revises the circumstances under which watch commanders must conduct this pre-booking evaluation, and lists the specific criminal charges that require this pre-booking evaluation.

**PROCEDURE:**

- I. BOOKING APPROVAL, FORM 12.31 - REVISED.** The Booking Approval, Form 12.31, has been revised to include a field for additional charges requested. This field shall be completed, prior to the watch commander's booking approval review, by arresting officers who request the filing of charges in addition to the primary booking charge.

**Note:** Arresting officers shall ensure that each additional charge requested in the narrative portion of the arrest report is listed in the new field of the booking approval form.

Except for the revised procedure mandated in this Order, the use, completion, and distribution of the Booking Approval have not changed.

**II. PRE-BOOKING EVALUATION REQUIREMENTS.**

- A. Watch Commander's Responsibility.** When a person is charged with, or additional filing is requested for, the California Penal Code (PC) sections listed below, the watch commander shall conduct a pre-booking evaluation to determine whether issues or concerns regarding training, policy or tactics need to be addressed.

- \* **69PC** Obstructing or resisting peace officers by threats or violence;
- \* **148 (a) (1) PC** Resisting, delaying, or obstructing a peace officer;
- \* **148 (b) PC** Removing or taking a weapon, other than a firearm, from a peace officer;

- \* **148 (c) PC** Removing or taking a firearm from a peace officer;
- \* **148 (d) PC** Attempting to remove or take a firearm from a peace officer;
- \* **241 (b) PC** Assault against a peace officer;
- \* **243 (b) & (c) PC** Battery against a peace officer or custodial officer, respectively;
- \* **244.5 (c) PC** Assault on a peace officer with a stun gun or taser;
- \* **245 (c) PC** Assault with a deadly weapon, other than a firearm, on a peace officer; and,
- \* **245 (d) PC** Assault with a firearm, machine gun, or assault weapon on a peace officer.

Watch commanders shall adhere to all other provisions outlined in Department Manual Section 4/216.23, including the requirement to document that evaluation in the Watch Commander's Daily Report, Form 15.80.

**B. Commanding Officer's Responsibility.** Commanding officers shall ensure that watch commanders:

- \* Complete a pre-booking evaluation where the primary charge or requested additional charge(s) against an arrestee is an offense listed in Section IIA of this Order; and,
- \* Complete the required documentation for that evaluation.

**FORM AVAILABILITY:** The Booking Approval, Form 12.31 will be available for ordering from the Department of General Services, Distribution Center, in about 90 days, and will be placed on the Department's Local Area Network. A copy of the form is attached for duplication and immediate use.

**AMENDMENTS:** This Order amends Section 4/216.23 of the Department Manual.

**AUDIT RESPONSIBILITY:** The commanding officers of all affected operations bureaus shall monitor compliance with this directive in accordance with Manual Section 0/080.30.

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November 25, 2003

WILLIAM J. BRATTON  
Chief of Police

Attachment

DISTRIBUTION "A"